



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5501

by Rep. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

750 ILCS 50/18

from Ch. 40, par. 1522

Amends the Adoption Act. Provides that a certified copy of an adoption order shall be issued upon written request and without show of cause to an adopted person over the age of 21, provided that the request is accompanied by a non-certified copy of the adopted person's original birth certificate issued by the Department of Public Health or a letter from the Department of Public Health confirming that no copy of the original birth certificate was located in Illinois.

LRB097 18378 AJO 63604 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Adoption Act is amended by changing Section
5 18 as follows:

6 (750 ILCS 50/18) (from Ch. 40, par. 1522)

7 Sec. 18. Records confidential.

8 (a) The word "illegitimate", the words "born out of
9 wedlock", and words of similar import shall not be used in any
10 adoption proceeding in any respect.

11 (b) The court call of adoption proceedings shall not
12 identify any of the parties by name. The parties may be
13 identified by initials or pseudonyms. The case shall be
14 identified by its general number. The names of the lawyers
15 representing the parties may appear on the court call, and the
16 type of application that is being made to the court may also be
17 identified.

18 (c) All adoption records maintained by each circuit clerk
19 shall be impounded in accordance with the procedures provided
20 by the Illinois Supreme Court's General Administrative Order on
21 Recordkeeping and shall be opened for examination only upon
22 specific order of the court, which order shall name the person
23 or persons who are to be permitted to examine the file.

1 Certified copies of all papers and documents contained in any
2 file so impounded shall be made only on like order. The
3 guardian ad litem for a minor sought to be adopted shall have
4 the right to inspect the court file without leave of court
5 during the pendency of the proceeding. The attorney of record
6 for the petitioners and other parties may inspect the file only
7 with leave of court. The petitioners to the adoption, the
8 attorney of record for the petitioners, and the guardian ad
9 litem of the person who is the subject of the proceeding shall
10 be entitled to receive certified copies of the order of
11 adoption in the proceeding at any time within 30 days after the
12 entry of the judgment of adoption without order of court. After
13 30 days from the entry of the judgment of adoption, no copies
14 may be obtained without prior order of court, but good cause is
15 not necessary to be shown by one of the petitioners to the
16 adoption. Likewise, a certified copy of the order of the
17 adoption shall be issued upon written request and without show
18 of cause to an adopted person over the age of 21, providing the
19 written request is accompanied by a non-certified copy of the
20 adopted person's original birth certificate issued by the
21 Department of Public Health under Section 18.1b of this Act or
22 a letter from the Department of Public Health confirming that
23 no copy of the adopted person's original birth certificate was
24 located in Illinois.

25 (d) If an appeal is taken from an adoption proceeding, the
26 papers filed in the court of review and the opinion of the

1 reviewing court shall not identify the true names of the
2 parties; instead, initials or pseudonyms shall be used to
3 identify the parties.

4 (Source: P.A. 86-493; 87-620.)